

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
JULY 22, 2015

The following items are discussed in these minutes:

GLENDELL, PLAT P – APPROVED
LEGACY HOUSE OF OREM – APPROVED
WW CLYDE SITE – APPROVED
MIDTOWN 360 FINAL – APPROVED
ZOA SLU 6597 FAMILY BEHAVIORAL PERMITTED IN CM – RECOMMENDED APPROVAL
ZOA SLU 6911 CHURCHES PERMITTED IN PO ZONE – RECOMMENDED APPROVAL
ZOA SEC 22-11-54(F)(10) FENCE HEIGHT – RECOMMENDED APPROVAL
UPS SITE PLAN – APPROVED
REZONE TO PD-45 – RECOMMENDED APPROVAL

STUDY SESSION

PLACE – Orem City Main Conference Room

At 3:30 p.m. Chair Moulton called the Study Session to order.

Those present: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Director; Clinton Spencer, GIS Planner; Brandon Stocksdale, Long Term Planner; Leah Cardon, Intern; Sam Kelly, City Engineer; Cliff Peterson, Private Development Engineer; Steve Earl, Legal Counsel; and Loriann Merritt, Minutes Secretary

Those excused: Becky Buxton, Planning Commission member; David R. Stroud, City Planner; Paul Goodrich, Transportation Engineer; David Spencer, City Council Liaison

The Commission and staff briefly reviewed agenda items and minutes from July 1, 2015 meeting and adjourned at 4:25 p.m. to the City Council Chambers for the regular meeting.

REGULAR MEETING

PLACE - Orem City Council Chambers

At 4:30 p.m. Chair Moulton called the Planning Commission meeting to order and asked Karen Jeffreys, Planning Commission member, to offer the invocation.

Those present: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Director; Clinton Spencer, GIS Planner; Brandon Stocksdale, Long Term Planner; Leah Cardon, Intern; Planner; Sam Kelly, City Engineer; Steve Earl, Legal Counsel; and Loriann Merritt, Minutes Secretary

Those excused: Becky Buxton, Planning Commission member; David R. Stroud, City Planner; Paul Goodrich, Transportation Engineer; David Spencer, City Council Liaison

Chair Moulton introduced **AGENDA ITEM 3.1** as follows:

AGENDA ITEM 3.1 is a request by Richard Kartchner to vacate Lot 2 of Glendell Subdivision, Plat O and approve the final plat of **GLENDELL SUBDIVISION, PLAT P** at 1722 South 80 West in the R8 zone.

“Planning Commission minutes for July 22, 2015”

Staff Presentation: Ms. Cardon introduced the item and Mr. Stocksdalesaid the applicant owns the lot in this request. When Glendell Subdivision, Plat O was approved earlier this year, a fifteen foot easement was placed on the north side of the applicant’s lot to be used as a public utility easement and private waterline easement. The applicant’s house plan will not fit on the lot because of the 15 foot easement, thus this request for the easement to be reduced to twelve feet.



Letters of approval to reduce the easement have been received from the easement holders. The reduction of the north easement is the only change requested to this lot. The dimensions and square footage do not change.

Recommendation: The Development Review Committee has determined this request complies with all applicable City Codes. The Project Coordinator recommends the Planning Commission vacate Lot 2 of Glendell Subdivision, Plat P and approve the final plat of Glendell Subdivision, Plat P at 1722 South 80 West in the R8 zone.

Chair Moulton asked if the Planning Commission had any questions for Mr. Stocksdalesaid.

Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Mr. Whetten said he has found that neither the public nor any person will be materially injured by vacating Lot 2 of Glendell Subdivision, Plat O and that there is good cause for the vacation. He then moved to:

1. Vacate Lot 2 of Glendell Subdivision, Plat O;
2. Approve the final plat of Glendell Subdivision, Plat P with one lot at 1722 South 80 West.

Vice Chair Iglesias seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.2** as follows:

AGENDA ITEM 3.2 is a request by Adam Lambert with Rimrock Construction to approve the site plan of **OREM ASSISTED LIVING** at 1900 N State Street in the C2UX zone.

Staff Presentation: Mr. Spencer said the applicant is proposing to construct a new assisted living facility with 100 units. The development also proposes two (2) vacant commercial pads for future development along State Street as part of the subdivision plat. The final plat includes a total of three (3) lots which meet the City code requirements for the C2 zone. The proposed project is on vacant property.



The proposed building will include 100 units with 106 beds and approximately 89,598 square feet. Three (3) of the units include two beds. The building is forty (40) feet tall at its highest point and will be finished with stucco, wood, stone and cement lap siding. The entrance to the building also includes a covered drive.

As per code requirements for assisted living facilities, one (1) parking space is required per 2.5 beds. According to the applicant there are 106 beds which require forty-three (43) stalls and sixty-six (66) are provided. Bicycle parking is also provided with five (5) bicycle parking stalls.

“Planning Commission minutes for July 22, 2015”

City code requires all commercial developments to install a seven (7) foot masonry type fence between commercial and residential properties. The applicant is proposing to construct a seven (7) foot wall on the north and south sides of the property adjacent to residential properties. However, as agreed by the City Council, the applicant will reduce the height of the fence to three (3) feet in the front yard setback (25 feet from the property line) from the access to 800 West.

The proposed project has no direct frontage on State Street, and no landscaping is proposed along State Street at this time. As the commercial sites develop, landscaping will be required to be installed along State Street. The applicant has provided a landscaping plan with approximately 1.26 acres of landscaping. A landscaping buffer is located directly adjacent to residential properties which includes trees and lawn.

The location of the dumpster is on the northern part of the site and is enclosed as required by City code.

The applicant held a neighborhood meeting on May 8, 2015 regarding the rezone and concept plan of property for the project and the rezone was heard by the Planning Commission on June 3, 2015 and heard and approved by the City Council on June 23, 2015.

The applicant is providing two (2) accesses to State Street and an additional access to 800 West. An emergency access will be provided to the south of the building to 760 West. An eight (8) foot sidewalk will also be provided with the project with an eight (8) foot landscaping buffer along State Street. A “Private Drive” sign will be located on the access to 800 West. There are no traffic concerns regarding this project. A “Private Drive” sign will be located at the entrance to the drive on 800 West.

Recommendation: Based on compliance with all applicable City codes, staff recommends the Planning Commission approve the site plan of Orem Assisted Living at 1900 North State Street in the C2UX zone.

Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.

Ms. Jeffreys asked if the entrance onto State Street will be built in the beginning. Mr. Spencer said yes.

Vice Chair Iglesias asked if there is a restriction on the landscaping near the emergency entrance. Mr. Spencer said nothing is being shown, but that would be something that could be proposed.

Chair Moulton asked where there is sidewalk. Mr. Spencer said there is sidewalk running from 800 West around the building and then onto State Street. The sidewalk on State Street will be widened to eight feet with an 8 foot buffer.

Ms. Larsen asked if the masonry fence will be built all around the project. Mr. Spencer said that the masonry fence will be built where the project abuts residential. Ms. Larsen asked if the masonry wall will stop where there is the crash gate goes across the road. Mr. Spencer said there was a condition that there is a front yard setback of 25-feet which will have three-foot masonry and it will gradually go up to seven feet to the gate opening and then continues on.

Chair Moulton invited the applicant to come forward. Adam Lambert introduced himself.

Mr. Lambert said the only thing is that the name is no longer “Legacy House of Orem;” however, everything else is the same.

Mr. Walker asked if there are any plans for the property in front of the project. Mr. Lambert said the owners are not in control of the front properties.

Vice Chair Iglesias said if the emergency access is being required, make sure the landscaping does not interfere with the emergency vehicles.

Chair Moulton asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

“Planning Commission minutes for July 22, 2015”

Planning Commission Action: Mr. Walker said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to approve the preliminary plat and site plan of Orem Assisted Living at 1900 North State Street in the C2UX zone. Ms. Jeffreys seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.3** as follows:

AGENDA ITEM 3.3 is a request by Jeff Lonardo to approve the site plan of **WW CLYDE OFFICE HEADQUARTERS** at 869 North 1500 West in the M2 zone.

Staff Presentation: Mr. Spencer said the applicant is proposing to construct a new office building. Currently the site is vacant. The proposed site uses the southern portion of the property. The remaining area of the property to the north of the proposed site will remain undeveloped, but is required to be maintained by controlling weeds and debris on the site.



The proposed building is two (2) stories and is approximately 26,300 square feet. The building is twenty-eight (28) feet tall at its highest point and is a tilt up concrete building with several window openings and a metal trellis feature at the entrance, located on the east side of the building facing 1500 West.

As per code requirements for office buildings 106 stalls are required (1 stall per 250 square feet) and 122 stalls are provided. Bicycle parking is also provided with ten (10) bicycle parking stalls.

There are no requirements for fencing in the M2 zone for an office building and no fencing is proposed with the project.

The applicant is proposing to install 32,358 square feet of landscaping on the site. The landscape plan includes seven (7) trees along 800 North and another eleven (11) trees along 1500 West as required as well as interior parking lot landscaped islands. Several other trees, bushes and plants are also proposed as part of the overall landscaping plan.

The location of the dumpster is on the northwest part of the site and is enclosed as required by City code.

The applicant is providing two (2) accesses to 1500 West. Sidewalks will also be installed along 800 North and 1500 West as well as a pedestrian access from 1500 West through the parking lot to the building. There are no traffic issues with this project.

Recommendation: Based on compliance with all applicable City codes, staff recommends the Planning Commission approve the site plan of WW Clyde Office Headquarters at 869 North 1500 West in the M2 zone.

Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.

Chair Moulton invited the applicant to come forward. Jeff Lonardo, Method Studio introduced himself. He noted this will be a great addition to the area.

Chair Moulton asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Vice Chair Iglesias said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to approve the site plan of WW Clyde Office Building at 869 North 1500 West. Ms. Larsen seconded the motion. Those voting aye: Carlos

“Planning Commission minutes for July 22, 2015”

Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

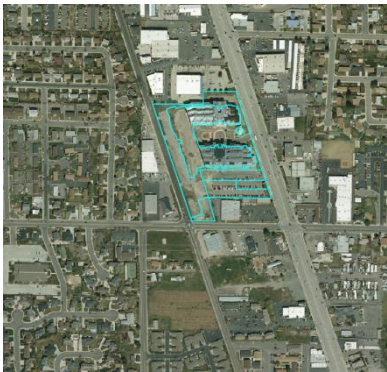
Chair Moulton introduced **AGENDA ITEM 3.4** as follows:

AGENDA ITEM 3.4 is a request by Jayson Newitt to approve the final plat of **MIDTOWN360** at 360 South State Street in the PD-23 zone.

Staff Presentation: Mr. Stocksdales said Midtown360 is currently undergoing interior construction on the south building and exterior finish work on the north building. The applicant requests the City approve the final plat to condominiumize each floor of the existing buildings. While each floor will be under ownership of one entity, the individual units on each floor will be for rent. There are 129 units in the south building and 157 units in the north building.

The property is currently platted but an affidavit of condominium withdrawal will be filed with the Utah County prior to the recording of Midtown360 Condominiums. The affidavit will effectively clear the current condominium plats off the records at the county. This then only requires the Planning Commission to approve a final plat and not vacate the current plats.

Recommendation: The Development Review Committee recommends the Planning Commission approve the final plat of Midtown360 at 360 South State Street in the PD-23 zone.



Chair Moulton asked if the Planning Commission had any questions for Mr. Stocksdales.

When no one did, Chair Moulton asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Chair Moulton said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to approve the final plat of Midtown360 with 286 units at 360 South State Street. Ms. Jeffreys seconded the motion. Those voting aye: Carlos Iglesias, Karen

Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.5** as follows:

AGENDA ITEM 3.5 is a request by Lisa Breitenstein to amend **APPENDIX A F THE OREM CITY CODE AS IT PERTAINS TO PERMITTED USES IN THE CM ZONE.**

Staff Presentation: Mr. Stocksdales said that Orem City Code Section 22-9-4 states “The CM zone is established to provide areas where planned manufacturing parks may be developed. The zone is designed to provide for such uses on well-landscaped sites such that they can be located in proximity to residential uses.” Uses beyond manufacturing are permitted in the CM zone. The closest permitted use to that of the applicant is SLU 6513, Medical Clinics – Outpatient. The nature of counseling and outpatient services may be viewed as similar. For this reason, the applicant requests the Code be amended to allow counseling services as a permitted use in the CM zone.

The CM zone is located in two areas in the City - 212 acres in the southwest area west of Geneva Road (Orem Center Business Park) and 68 acres at the mouth of Provo Canyon.

“Planning Commission minutes for July 22, 2015”

Appendix A:

SLU		PO	C1	C2	C3	HS	M1	M2	CM	BP
6597	Family & Behavioral Counseling	P	P	P	P	P	N	N	NP	P

Advantages

- Increases potential locations for a low impact office use
- Similar use (Medical Clinics – Outpatient) is permitted in the CM zone

Disadvantages

- None determined

Recommendation: The Development Review Committee recommends the Planning Commission forward a positive recommendation to the City Council to amend Appendix A by permitting SLU 6597, *Family & Behavioral Counseling*, as a permitted use in the CM zone.

Chair Moulton asked if the Planning Commission had any questions for Mr. Stocksdale.

Vice Chair Iglesias asked if they will allow overnight stays. Mr. Bench said this is for office use. The CM is designed for manufacturing, but there is office uses already there.

Ms. Larsen asked why this zone is in the mouth of the canyon. Mr. Bench said it probably came with the development of the City.

Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Ms. Jeffreys said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to recommend the City Council amend Appendix A of the Orem City Code to allow Standard Land Use code 6597, Family and Behavioral Counseling as a permitted use in the CM zone. Vice Chair Iglesias seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.6** as follows:

AGENDA ITEM 3.6 is a request by Development services to amend **APPENDIX “A” OF THE OREM CITY CODE CHANGING STANDARD LAND USE CODE 6911 – CHURCHES, SYNAGOGUES & TEMPLES FROM “NOT PERMITTED” TO “PERMITTED” IN THE PROFESSIONAL OFFICE ZONE.**

Staff Presentation: Mr. Spencer said the City was recently approached by a church that requested a new location at approximately 1145 East 800 North which is currently zoned PO. The PO zone does not allow churches. Upon review, staff determined that allowing churches in the PO zone would be prudent as the PO zone is designed to buffer residential neighborhoods from more intense commercial uses. This amendment would apply to approximately twenty (20) acres zoned PO in the City which is located east along 800 North. SLU 6911 is currently allowed in the R6, R6.5, R7.5, R8, R12, C2 and HS zones.

Advantages of the proposal:

- Churches are a low impact type of development adjacent to residential zones

“Planning Commission minutes for July 22, 2015”

- Churches already allowed in several residential and commercial zones

Disadvantages of the proposal:

- None identified

Recommendation: Based on the advantages outlined above staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Appendix “A” of the Orem City code changing Standard Land Use code 6911 – Churches, Synagogues & Temples from “not permitted” to “permitted” in the PO zone.

SLU		R 5	R 6	R 6.5	R 7.5	R 8	R 12	R 20	OS5/R OS	P O	C 1	C 2	C 3	H S	M 1	M 2	C M	B P
6911	Churches, Synagogues & Temples	N	P	P	P	P	P	P	N	<u>P</u> N	N	P	N	P	N	N	N	N

Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.

Ms. Jeffreys asked if the PO zone was anywhere but on 800 North. Mr. Spencer said the PO zone was created for the 800 North corridor.

Chair Moulton asked if a church came in for approval it would have to meet landscaping requirements. Mr. Spencer said yes.

Ms. Larsen asked if the parking restrictions are different when a church building is built within a residential zone as opposed to the PO zone. Mr. Bench said the requirements are the same as for any other church. Churches parking standards are based on the number of fixed seats. Typically churches will have more parking that is required. Mr. Earl added that if they come into an existing building they could use whatever parking is there. If they are building a new structure, there is a specific parking standard for churches.

Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Ms. Larsen said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to recommend the City Council amend Appendix “A” of the Orem City code changing Standard Land Use code 6911 – Churches, Synagogues & Temples from “not permitted” to “permitted” in the Professional Office (PO) zone. Mr. Walker seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.7** as follows:

AGENDA ITEM 3.7 is a request by Adam Lankford to amend **SECTION 22-11-54(F)(10) PERTAINING TO FENCE HEIGHTS IN THE PD-41 ZONE** located generally 1042 West Center Street.

Staff Presentation: Mr. Spencer said the applicant requests that the maximum fence height in the PD-41 be changed from seven (7) to eight (8) feet to match the fence manufacturers’ heights. The applicant received site plan approval in February of 2015 and has begun construction of their site. Upon reviewing the fencing material provided to them by SimTek, the fence is only sold in six (6) and eight (8) feet heights. The approved site plan shows a seven (7) foot fence. The applicant has contacted the neighbors that will be affected by the change. The revised site plan showing an eight (8) foot fence can be approved administratively if the proposed amendment is approved by the City Council.

“Planning Commission minutes for July 22, 2015”

Advantages of the proposal:

- Provides neighbors with an eight (8) foot fencing buffer
- Neighbors older fences will be replaced with a new wall

Disadvantages of the proposal:

- None identified

Recommendation: Based on the advantages outlined above staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 22-11-54(F)(10) pertaining to fence heights in the PD-41 zone located generally 1042 West Center Street.

22-11-54(F)

10. Fences. A pre-cast wall with a minimum height of six (6) feet and a maximum height of ~~eight~~seven (87) feet shall be erected on the west and north property lines of the property included within the PD-41 zone, except that no fence shall be required along street frontages or on the eastern boundary of the PD-41 zone. The entire length of the perimeter fence shall be constructed using the same design, color and materials. Wood, chain link and vinyl fencing is prohibited.

Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.

Chair Moulton invited the applicant to come forward. Adam Lankford, Wasatch Advantage introduced himself.

Mr. Walker noted this will save a lot of money on material. Mr. Lankford said cutting down the fence will also void the warranty on the fence material.

Mr. Walker then asked if he had contacted the neighbors. Mr. Lankford said he had gone door to door and visited with those who were home and left letters with the others. Some neighbors have come on the site and visited with the construction manager. The consensus is they like the higher fence.

Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

Monta Rae Jeppeson, Orem, inquired where the fence is located. Mr. Spencer said the fence in question is near 1200 West. Ms. Jeppeson said she was concerned with the increase in traffic and that Center Street will not be able to handle the increased traffic.

Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Ms. Jeffreys said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to recommend the City Council amend Section 22-11-54(F)(10) pertaining to fence heights in the PD-41 zone located generally 1042 West Center Street. Vice Chair Iglesias seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.8** as follows:

AGENDA ITEM 3.8 is a request by Brigham Davies to approve the site plan of the **UPS FACILITY EXPANSION** at 573 North 1500 West in the M2 zone.

Staff Presentation: Mr. Spencer said the applicant is proposing to add on to the existing building. The addition includes approximately 19,000 square feet with eight (8) new shipping bays.

“Planning Commission minutes for July 22, 2015”

The proposed building is one (1) story. The building will be finished with metal siding to match the existing building with several garage door openings and is proposed to be twenty-nine (29) feet tall.



As per code requirements for warehouse and office space in the M2 zone, 109 stalls are required and 191 stalls are provided. A bicycle rack will also be located to the south of the building with eleven bicycle stalls.

There is an existing six (6) foot tall chain link fence on the north, west, and south sides of the property that will remain.

The applicant is proposing to complete the landscaping along their frontage which includes the planting of six (6) new trees and grass in a ten foot landscaping strip adjacent to 1500 West. A native seed mix is proposed for other locations on the site which will need to be controlled as required by Fire code.

The location of the dumpster is on the west part of the site and is enclosed as required by City code.

The applicant is providing one (1) new access onto 1500 West. The access is required to line up with the access across the street for traffic safety purposes. There are no traffic issues with this project.

Recommendation: Based on compliance with all applicable City codes, staff recommends the Planning Commission approve the site plan of the UPS Facility Expansion at 573 North 1500 West in the M2 zone.

Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.

Mr. Walker asked if they will vacate the center driveway. Mr. Spencer said yes.

Chair Moulton noted this has been called the Provo hub, the Vice Chair Iglesias suggested it be called the Orem hub.

Chair Moulton asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Ms. Larsen said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to approve the site plan of UPS Facility Expansion at 574 North 1500 west in the M2 zone. Mr. Walker seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 4.1** as follows:

AGENDA ITEM 4.1 is a request by Harold Bashford to **AMEND SECTION 22-5-1 AND SECTION 22-5-3(A) AND THE ZONING MAP OF OREM CITY BY ENACTING SECTION 22-11-58 (PD-45 ZONE) AND APPENDIX OO, ON 4.77 ACRES GENERALLY AT 1187 NORTH 1200 WEST IN THE HIGHWAY SERVICES (HS) ZONE.**

Staff Presentation: Mr. Spencer said the applicant proposes to construct a high-rise office development. Currently the subject property is zoned Highway Services. The proposed concept plan includes up to two (2) high-rise buildings that to be built in phases with an overall height of 140 feet. Underground parking is also proposed as part of the overall site development. The applicant is proposing to maintain many of the HS requirements with the following exceptions:

The HS zone allows a maximum building height of sixty (60) feet and the applicant is requesting 180 feet.

“Planning Commission minutes for July 22, 2015”

Currently the HS zone allows for brick, fluted block, and colored textured block, glass, synthetic stucco and wood. The applicant proposes the finishing materials to include glass, stucco, stone, glass fiber reinforced concrete, composite metal panel, architectural formed concrete, and brick.



A neighborhood meeting was held on May 7, 2015. Fourteen (14) people were in attendance including the applicants and city staff. Those in attendance brought up concerns regarding traffic and improvements on 1200 West to accommodate the additional traffic as well as making sure there was adequate parking on site.

As part of this project 1200 West will be widened to five lanes from 1200 North to the southern property line of the proposed project. It will include a center turn lane, four (4) through lanes, and a bicycle lane as indicated on the concept plan. A minimum eight (8) foot landscaping buffer on the west side of the road with a minimum six (6) foot sidewalk is also provided.

Advantages:

- The development locates businesses along a prime visible location along the I-15 corridor as intended by the zoning ordinance
- The development makes good use of the property
- The development keeps a growing business in Orem and will provide the potential for future office developments

Disadvantages:

- Increasing the height maximum from sixty (60) feet to 180 feet could have a negative effect on visibility

Recommendation: Based on the advantages of the proposed amendments staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 22-5-1, Establishment, amending Section 22-5-1, and Section 22-5-3(A) and the zoning map of Orem City by enacting Section 22-11-58 (PD-45 zone) and Appendix OO, on 4.77 acres generally at 1187 North 1200 West in the Highway Services (HS) zone.

Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.

Mr. Walker asked where the power lines will be located. Mr. Spencer said the power lines run through the center and will leave room for Phase 3. Chair Moulton asked if there is any underground parking before Phase 3. Mr. Spencer said there is some in Phase 1. Ms. Larsen asked if they can access both phases from the underground parking and what the traffic flow will be like. Mr. Kelly said there are no plans for a light up front, but if it is warranted it will be installed. Ms. Larsen asked if access points align with across the street. Mr. Kelly said that will be considered at site plan approval. Mr. Spencer said the connectivity will be addressed at the site plan. He noted that staff required that on the concept plan was to show that the accesses are lined up and if they are not lined up they need to be offset 250 feet. The concept plan meets that requirement.

Vice Chair Iglesias asked what setback will determine how high the applicant can go if this is approved. Mr. Spencer said in a typical commercial zone, the setback from residential has to be the height of the building. In this case, they would have to have a setback of 140-feet, in their ordinance they are calling for a 20-foot setback regardless of the height. When the third phase comes in, they would not have any problem meeting the requirements of the commercial zones on the west side. On the south end there is a portion of residential zoning that might be an issue, so including this provision will allow them to build the 180-foot maximum without being under the same restrictions. Vice Chair Iglesias asked how big the residential zone is. Mr. Spencer said it is a small portion to the east.

Mr. Whetten asked the square footage of the building. Mr. Spencer it was not shown on the concept plan.

“Planning Commission minutes for July 22, 2015”

Chair Moulton invited the applicant to come forward. Howard Bashford introduced himself.

Mr. Bashford said they are happy to put on top of the building, “Welcome to Orem,” and not Provo. He indicated the buildings will be 14,000 square foot plates, nine floors with around 120,000 square feet.

Mr. Whetten said the underground parking is expensive and wondered if there would be a lot of that. Mr. Bashford said in the first phase there will be one level of underground parking. They will evaluate the parking prior to designing the Phase 2 building. With Phase 1 there will be surface parking that will service this building and is over-parked for this size of building. The first building is 80% leased to a company called Jive. Jive has a fairly high parking requirement. They are currently located in the Security Metrics building and will be doubling the available parking. Mr. Whetten asked for the parking ratio of the zone. Mr. Spencer said for an office building it is 1 stall per 250 square feet or 4 parking spaces per 1,000 square feet. Mr. Bashford said they will be at 7 spaces per 1,000 square feet. Mr. Whetten asked if that is the final Phase 1 and Phase 2 combined. Mr. Bashford said it is for Phase 1. They will either need to go underground or have an on-grade parking structure. He noted that the electric lines will be 25-feet of each side of the structures, and there will be access to the parking from the south and north side.

Mr. Whetten asked if the structured parking will be under the building footprint or on the rectangular pad. Mr. Bashford said that currently it is anticipated it will be underneath the north side of the building, but there is no final decision at this time.

Vice Chair Iglesias said he is excited about this project, because Utah County has been competitive for office space and usage. This will help Orem.

Mr. Bashford said that Jive is an eight year old company that started in Orem. They evaluated over 15 sites for Jive, because they wanted to be along the I-15 corridor and hopefully stay in Orem this was the only site they could find.

Ms. Larsen asked if there has been any concern about the reflection off of the glass onto I-15. Mr. Bashford said they have been discussing this concern. Ms. Larsen also expressed concern about a shadow in the winter causing ice patches on I-15.

Mr. Whetten asked if 1200 North will ever go under the freeway. Mr. Kelly said no. Years ago staff considered an overpass, but the Transportation Master Plan shows there is not a need to have an overpass even with this type of use. This use would have 3,000 vehicles per day, which is not enough to justify an \$80,000,000 overpass. Mr. Whetten asked the City could vacate that street and give them more parking area. Mr. Kelly said that will be investigated as site plan approval goes through.

Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Ms. Larsen said the area from 900 North to 1000 North has a switch back feel. She encouraged the City to study a traffic design that will straighten the road before it goes to a five lane road. Even though it is not striped, it will be a wider road.

Mr. Walker said the good thing about working in phases there are a lot of things can be worked on the different issues before development. He asked when they expect the first building to be done. Mr. Bashford said Jive wants to be August 2016.

Mr. Whetten said that 4 stalls per 1,000 square feet is on the skinny side. It seems that Security Metrics seems to have enough parking. Chair Moulton said that his office in American Fork and it is around 8 stalls per thousand. Mr. Whetten said he likes 5 stalls per 1,000 square feet. He noted there were some that were

“Planning Commission minutes for July 22, 2015”

denser than that. When creating a new zone this is the time to signal to the developer what the city would like to see. In his opinion, he thinks a parking ratio of 5 stalls per 1,000 square feet is a lot better number than 4 stalls per 1,000 square feet. He stated in this location there are not a lot of extra parking spaces. Ms. Larsen added there is not access to public transportation. Vice Chair Iglesias asked what changing to 5 parking stalls per 1,000 would do to this project. Mr. Bench said the Security Metrics building is built to 1 per 250 square feet and there is lots of extra parking. The City is not worried about this and does not have an issue with the current standard. He acknowledged that if there are problems in the future, the City will address them.

Mr. Whetten said that based on what is on the concept plan there are 274 stalls on the south and 200 on the north plus the underground, which makes them under 600 stalls at the requested parking numbers there would not be any room for a second building.

Mr. Kelly indicated there is a bus route that goes in front of this building.

Vice Chair Iglesias hoped that the City Council will consider tonight’s discussion in considering this item.

Chair Moulton called for a motion on this item.

Planning Commission Action: Vice Chair Iglesias said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to recommend the City Council amend Section 22-5-14 and Section 22-5-3(A) and the zoning map of Orem City by enacting Section 22-11-58 (PD-45 zone) and Appendix OO, on 4.77 acres generally at 1187 North 1200 West in the Highway Services (HS) zone. Chair Moulton seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

MINUTES: The Planning Commission reviewed the minutes from the previous meeting. Chair Moulton then called for a motion to approve the minutes of July 1, 2015. Ms. Jeffreys moved to approve the meeting minutes for July 1, 2015. Mr. Whetten seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

ADJOURN: Chair Moulton called for a motion to adjourn. Mr. Whetten moved to adjourn. Chair Moulton seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

Adjourn: 5:37 p.m.

Jason Bench
Planning Commission Secretary

Approved: August 5, 2015